

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

JUDITH SCRASE,

No. C 11-0169 WHA

Plaintiff,

**ORDER RELATING AND
REASSIGNING CASE; OF
DISMISSAL; INSTRUCTIONS TO
CLERK**

v.

JOSEPH READER,

Defendant.

(Docket No. 18)

This is a pro se civil rights complaint under 42 U.S.C. 1983 filed by a plaintiff proceeding pro se. She has been granted leave to proceed in forma pauperis. The case was referred to the undersigned for purposes of determining whether it is related to a prior case, *Scrase v. Reader*, No. C 10-5256 WHA (PR). That case was dismissed as duplicative of yet another case filed by plaintiff, *Scrase v. Reader*, No. C 10-1767 WHA (PR), which had earlier been dismissed for failure to state a cognizable claim for relief. The complaint filed herein to the complaint filed case number C 10-5256 WHA, and consequently this case is related to plaintiff's earlier case and shall be reassigned to the undersigned district judge.

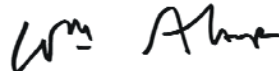
Furthermore, as the complaint filed herein is identical to the complaint she filed in a prior case, this case is **DISMISSED** as duplicative. *See Bailey v. Johnson*, 846 F.2d 1019, 1021 (5th Cir. 1988) (an in forma pauperis complaint repeating the same factual allegations asserted in an earlier case is subject to dismissal as duplicative); *see also Cato v. United States*, 70 F.3d 1103, 1105 n.2 (9th Cir. 1995) (dismissing duplicative complaint). Defendant's motion to

1 dismiss (docket number 18) is **GRANTED**. The motion hearing is **VACATED**.

2 The clerk shall reassign this case to the undersigned, enter judgment and close the file.

3 **IT IS SO ORDERED.**

4 Dated: June 3, 2011.

5 
6 WILLIAM ALSUP
7 UNITED STATES DISTRICT JUDGE

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